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PATENT

Attorney Docket No. EMT-001
(120418/156868)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE:
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

APPLICANTS: Li *et al.*
APPL. NO.: 09/664,226 ART UNIT: 3624
FILING DATE: September 18, 2000 EXAMINER: Colbert, Ella
TITLE: Auction Management

Mail Stop Appeal Briefs – Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF

Please find enclosed a check to pay the fee associated with a three month extension of time and the fee specified in 37 C.F.R. §1.17(f). The Commissioner is hereby authorized to charge any additional required fees to Deposit Account No. 07-1700.

07/10/2006 TBESHAI1 00000016 09664226

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REAL PARTY IN INTEREST

The real party in interest is the owner of the present application, Emptoris, Inc.

RELATED APPEALS AND INTERFERENCES

No other appeals or interferences directly affect or will be directly affected by the Board's decision in the present appeal.

STATUS OF CLAIMS

The application as filed contained 53 claims, and in an amendment filed on March 22, 2004, we cancelled claim 53. Claims 1–52 remain pending, have been rejected, and are the subject of this appeal.

STATUS OF AMENDMENTS

No amendments have been filed subsequent to the Office Action mailed on September 12, 2005.

SUMMARY OF CLAIMED SUBJECT MATTER

A buyer opens a conventional auction by distributing a “request-for-quotation” (“RFQ”) to prospective suppliers. The RFQ contains a list of the items the buyer would like to purchase. In some cases, the RFQ contains additional information pertinent to the proposed transaction, such as minimum or maximum quantities, delivery dates, or standards of quality. In response to the RFQ, prospective suppliers submit bids. The buyer then chooses which of those suppliers are

to be awarded the bid. The optimal combination of suppliers, together with the list of items to be ordered from each supplier, is referred to as an “optimal award schedule.”

Were price the buyer’s sole concern, s/he would simply select the supplier offering the lowest price per item. The present invention, however, is directed toward complex transactions involving non-price considerations. For example, a supplier’s price for an item can be made to depend on the quantity of that item purchased. Or, the supplier may give one price for a bundle of disparate items, in which case it is unclear how to allocate this price among the items. In addition, the invention permits other, less clearly quantifiable factors to be considered. For example, the buyer’s purchase decision may turn on the quality of goods or the reputation of the supplier for reliability, or the supplier’s solvency. The buyer may also have internally generated policies, or business rules, that further constrain which the choice of which suppliers can be awarded a bid.

Independent claim 1 of the present invention is directed to a computer-implemented method for determining an optimal award schedule for at least partial satisfaction of a requisition.¹ Public buyer constraints are received from a buyer over a computer network,² and the buyer also provides an objective function including non-price criteria.³ The public buyer-constraints, which are representative of the requisition, are then transmitted to a set of prospective suppliers over the computer network.⁴ Prospective suppliers (also referred to as “candidate suppliers”) choose to submit bids responsive to the public buyer constraints and send those bids across the computer network for analysis by the buyer.⁵ The objective function is

¹ Specification at pg. 3, ln. 9–10.

² Specification at pg. 3, ln. 14–15.

³ Specification at pg. 10, ln. 8–13; pg. 26, ln. 1–pg. 28, ln. 10.

⁴ Specification at pg. 3, ln. 15–16.

⁵ Specification at pg. 3, ln. 17–19.

used to determine an optimal award schedule that includes a list of selected suppliers from the set of candidate suppliers and information indicative of the manner in which each of the selected suppliers is to satisfy (at least in part) the requisition.⁶

Independent claim 27 is directed toward a computer-readable media having encoded thereon software for determining an optimal award schedule for at least partial satisfaction of a requisition.⁷ This claim is substantively similar to claim 1.

GROUNDS FOR REJECTION TO BE REVIEWED ON APPEAL

The issues on appeal are: (1) whether claims 1 and 27 are unpatentable under 35 U.S.C. § 112 for lack of antecedent basis and agreement; (2) whether the formal drawings filed with the Office satisfy 37 C.F.R. § 1.121(d); and (3) whether claims 1–52 are unpatentable over U.S. Patent No. 6,260,024 to Shkedy (“*Shkedy*”).

ARGUMENT

A. The Claims Satisfy the Requirements of 35 U.S.C. § 112

Claims 1 and 27 were said to lack antecedent basis for the elements “subset of suppliers,” “selected suppliers,” and “selected subset of suppliers.” Claims 1 and 27 both recite a “set of suppliers,” from which a “subset of suppliers” is subsequently selected. Any “set” will inherently include a number of “subsets,” and accordingly this rejection is clear error.

The claims were also said to lack agreement for use of both “selected suppliers” and “selected supplier.” A selected “subset of suppliers,” like any set, may include any number of

⁶ Specification at pg. 3, ln. 19–21; pg. 25, ln. 27–pg. 26, ln. 3.

⁷ Specification at pg. 8, ln. 7–14.

suppliers. When one supplier is claimed, the claims use the singular form; when more than one supplier is claimed, the claims use the plural form. This rejection is also clear error.

B. The Drawings Satisfy 37 C.F.R. § 1.121(d)

Corrected drawings were requested because “in fig.’s 6, 8-14, 15A, 15B, 16A, 16B, 17, 19, 20A, 20B, and 21-28 the shaded portion of the drawing figure’s are not legible. The shading needs to be removed in order to read the text in the drawing figures.” Office Action at 3.

Copies of Figures 6, 8–14, 15A, 15B, 16A, 16B, 17, 19, 20A, 20B, and 21–28 were obtained from the formal drawings filed on August 26, 2002, using the Office’s PAIR system and are attached to this Brief as Exhibit A. Each of these figures bears the stamp of the Office of Initial Patent Examination, and none of these figures includes either shading or unreadable text. Accordingly, this rejection is clear error.

Another rejection apparently based on the informal drawings initially filed with this application, instead of the formal drawings filed on August 26, 2002, was issued in the Office Action of January 11, 2005, and argued in the Response filed on April 1, 2005.

C. The Rejections Over Shkedy Fail to Consider Essential Elements of the Claims

The burden is on the Examiner to demonstrate that each feature of a claim is met by a reference or valid combination of references. The courts have repeatedly and consistently held that “all limitations [of a claim] must be considered ... and it is error to ignore specific limitations in distinguishing over the references.”⁸ In the present case, the Examiner has failed to consider essential elements of independent claims 1 and 27 in rejecting those claims over United States Patent No. 6,260,024 to *Shkedy*.

⁸ *In re Boe and Duke*, 184 USPQ 38, 40 (CCPA 1974).

Specifically, independent claims 1 and 27 both recite, in part: (1) “utilizing, by a programmed computer, the objective function to select a subset of suppliers and determine an optimal award schedule for at least partial satisfaction of said requisition utilizing the selected suppliers,” (2) where the “objective function” includes “non-price criteria,” and (3) the “optimal award schedule” includes information indicative of the manner in which each of said selected subset of suppliers is to at least partially satisfy said requisition (emphasis added). For the reasons that follow, we respectfully submit that *Shkedy* neither teaches nor suggests the use of non-price criteria in an objective function, or the determination of an optimal award schedule.

In accordance with claims 1 and 27, a prospective buyer specifies constraints that prospective suppliers are invited to satisfy. The buyer’s constraints may include traditional price terms, such as a maximum price per item, but also includes non-price terms (e.g., time to satisfaction, quality, quantity, etc.). Prospective suppliers submit bids responsive to the buyer’s constraints and the invention determines an optimal award schedule from those bids. In particular, the invention as claimed determines which of the bidding suppliers will optimally satisfy the bid, evaluating each bid against the price and non-price terms specified by the buyer. As explained in the specification, “[t]he optimal combination of suppliers, together with the list of items to be ordered from each supplier, is referred to as an optimal award schedule.⁹ The “objective function” is the formulation of the buyer’s price and non-price constraints and the seller’s constraints in its bid that is used by an optimization engine to determine the optimal award schedule.¹⁰

Shkedy, by contrast, describes a system for aggregating individual buyers’ purchase requirements into a single collective purchase requirement, and providing that collective

⁹ Specification at pg. 2, ln. 4–6 (emphasis added).

purchase requirement to sellers willing to bid on the collective purchase requirement.¹¹ *Shkedy* teaches a simple “winner-take-all” system, where one seller providing the best bid wins all of the business.¹²

Such a limited, even primitive system is simply not relevant to the present claims. Indeed, *Shkedy*, like other references cited during prosecution, typifies the prior art over which the present invention improves. The *Shkedy* system cannot create an “optimal award schedule” that allows multiple sellers to satisfy a buyer’s requisition in an optimal fashion because a single buyer always wins the entire award. There is no notion, in *Shkedy*, of selecting a subset of suppliers and determining an optimal award schedule for at least partial satisfaction of a requisition utilizing the selected suppliers.

Moreover, while *Shkedy* allows prospective buyers to specify non-price criteria, such as a quantity, a pool date, and an outside delivery date,¹³ *Shkedy* does not appear to teach that a prospective seller may provide bids that do not conform to these non-price criteria, or how to weigh a prospective seller’s non-conforming non-price criteria against a bidden price. In other words, *Shkedy* cannot satisfy the requirements of the present claims that require an “objective function” including “non-price criteria” to create an optimal award schedule that is optimal with respect to both price and non-price criteria. In accordance with *Shkedy*, non-price requirements do no more than exclude a non-conforming bidder from consideration. Rather, the best price always wins so long as non-price criteria are not violated. This is flatly inconsistent with the claimed requirements of an optimal award schedule spread among multiple suppliers. It is even

¹⁰ *Id.* at pg. 25, ln. 27–p. 26, ln. 3.

¹¹ *Shkedy* at Abstract.

¹² *Id.* at col. 3, ln. 55-57; col. 3, ln. 9-11; col. 6, ln. 29-30.

¹³ *Shkedy* at col. 5, ln. 13-16.

less relevant to an optimal award schedule that “includes information indicative of the manner in which each of said selected subset of suppliers is to at least partially satisfy said requisition.”

The rejection of independent claims 1 and 27 is solely based on *Shkedy*, and the preceding discussion demonstrates how *Shkedy* fails to satisfy at least two essential elements of these claims. For these reasons, we respectfully submit that the rejection of independent claims 1 and 27 over *Shkedy* is clear error. The remaining claims, which depend therefrom, are therefore allowable as well.

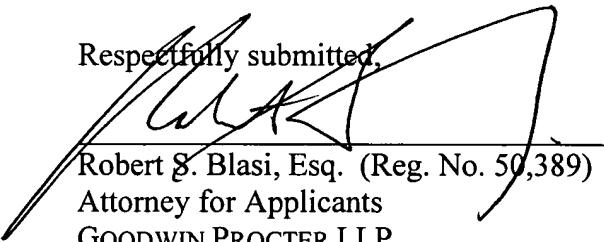
CONCLUSION

For all of the foregoing reasons, we submit that the Examiner’s rejections of claims 1–52 were erroneous, and reversal thereof is respectfully requested.

Date: July 6, 2006

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Respectfully submitted,


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CLAIMS APPENDIX

1. A computer-implemented method for determining an optimal award schedule for at least partial satisfaction of a requisition, said method comprising:
 - receiving from a buyer, over a computer network, public buyer constraints representative of said requisition;
 - receiving from the buyer, over said computer network, a objective function including non-price criteria;
 - transmitting to a set of suppliers, over said computer network, said public buyer constraints;
 - receiving from each supplier, over said computer network, a bid responsive to said public buyer constraints; and
 - utilizing, by a programmed computer, the objective function to select a subset of suppliers and determine an optimal award schedule for at least partial satisfaction of said requisition utilizing the selected suppliers,
wherein said optimal award schedule includes information indicative of the manner in which each of said selected subset of suppliers is to at least partially satisfy said requisition.
2. The method of claim 1, wherein receiving said public buyer constraints from said buyer over said computer network comprises receiving a list of items to be supplied.
3. The method of claim 2, wherein receiving said list of items comprises receiving a list in which at least one item in said list is a logical item that includes a list of items.

4. The method of claim 1, wherein receiving said public buyer constraints from said buyer over said network comprises receiving a constraint selected from the group consisting of: a maximum price said buyer is willing to pay for at least partial satisfaction of said requisition; and a non-price constraint required by said buyer for at least partial satisfaction of said requisition.

5. The method of claim 4, wherein said non-price constraint is selected from the group consisting of: a desired time for at least partial satisfaction of said requisition; a desired quality for at least partial satisfaction of said requisition; and a desired quantity for at least partial satisfaction of said requisition.

6. The method of claim 1, wherein receiving said bid from each supplier over said computer network comprises receiving a bid including a proposed price for at least partial satisfaction of said requisition.

7. The method of claim 1, wherein receiving said bid from each supplier over said computer network comprises receiving a bid including a proposed price having a volume discount dependent on an extent to which said requisition is to be at least partially satisfied.

8. The method of claim 1, wherein receiving said bid from each supplier over said computer network comprises receiving a bid including a fixed charge independent of an extent to which said requisition is to be at least partially satisfied.

9. The method of claim 1, wherein receiving said bid from each supplier over said computer network comprises receiving a bundled bid offering to at least partially satisfy, for a bundled price, a requisition for a selection of items from said list of items.

10. The method of claim 1, further comprising facilitating an exchange of messages between a buyer and a supplier over said computer network.

11. The method of claim 10, further comprising facilitating the multi-casting of a message sent by said buyer to all suppliers over said computer network.
12. The method of claim 1, wherein determining an optimal award schedule comprises considering a performance attribute for a supplier.
13. The method of claim 12, wherein considering a performance attribute comprises selecting an attribute from the group consisting of: the supplier's reputation for prompt delivery, the supplier's reputation for quality, geographical location of the supplier, the supplier's reputation for support and maintenance, and a user-defined attribute.
14. The method of claim 12, wherein considering a performance attribute comprises considering a weight supplied by said buyer, said weight being indicative of an extent to which said performance attribute is to be considered in determining said optimal award schedule.
15. The method of claim 14, wherein considering a performance attribute comprises determining a price penalty on the basis of said weight and incorporating said price penalty in a bid received from said supplier.
16. The method of claim 1, wherein determining an optimal award schedule comprises applying a private buyer constraint.
17. The method of claim 16, wherein applying the private buyer constraint comprises applying a business rule.
18. The method of claim 17, wherein applying a business rule comprises selecting a business rule from the group consisting of: a business rule placing a limit on the number of selected suppliers, a business rule specifying properties of said selected suppliers, a business rule placing

a limit on the number of items provided by a selected suppliers, a business rule placing a limit on the number of items provided by a cluster of selected suppliers, and a business rule placing a limit on an extent to which a selected supplier at least partially satisfies said requisition.

19. The method of claim 18, wherein placing a limit comprises selecting a limit from the group consisting of an upper bound and a lower bound.

20. The method of claim 18, wherein the extent to which a selected supplier satisfies said requisition is measured by a monetary value of said extent.

21. The method of claim 16, wherein applying the private buyer constraint comprises rejecting any bundled bid.

22. The method of claim 16, wherein applying the private buyer constraint comprises manually selecting a supplier for inclusion in said list of selected suppliers.

23. The method of claim 22, wherein applying the private buyer constraint further comprises manually specifying an extent to which said manually selected supplier is to at least partially satisfy said requisition.

24. The method of claim 1, further comprising generating by a computer a code indicative of at least one reason for rejecting a losing bid.

25. The method of claim 24, wherein generating said code comprises incorporating into said code information indicative of whether said losing bid was rejected on the basis of a reason selected from a group consisting of an excessive price and an inadequate performance attribute.

26. The method of claim 1, further comprising selecting said requisition from the group consisting of: a purchase of an item, a purchase of a group of items, a performance of a service, and a performance of a group of services.
27. Computer-readable media having encoded thereon software for determining an optimal award schedule for at least partial satisfaction of a requisition, said software comprising:
 - instructions for receiving from a buyer, over a computer network, public buyer constraints representative of said requisition;
 - instructions for receiving from the buyer, over said computer network, a objective function including non-price criteria;
 - instructions for transmitting to a set of suppliers, over said computer network, said public buyer constraints;
 - instructions for receiving from each supplier, over said computer network, a bid responsive to said public buyer constraints;
 - instructions for utilizing the objective function to select a subset of suppliers and determine an optimal award schedule for at least partial satisfaction of said requisition utilizing the selected suppliers,wherein said optimal award schedule includes information indicative of the manner in which each of said selected suppliers is to at least partially satisfy said requisition.
28. The computer-readable media of claim 27, wherein said instructions for receiving said public buyer constraints from said buyer over said computer network comprise instructions for receiving a list of items to be supplied.

29. The computer-readable media of claim 28, wherein said instructions for receiving said list of items comprise instructions for receiving a list in which at least one item in said list is a logical item that includes a list of items.
30. The computer-readable media of claim 27, wherein said instructions for receiving said public buyer constraints from said buyer over said network comprise instructions for receiving a constraint selected from the group consisting of: a maximum price said buyer is willing to pay for at least partial satisfaction of said requisition; and a non-price constraint required by said buyer for at least partial satisfaction of said requisition.
31. The computer-readable media of claim 30, wherein said non-price constraint is selected from the group consisting of: a desired time for at least partial satisfaction of said requisition; a desired quality for at least partial satisfaction of said requisition; and a desired quantity for at least partial satisfaction of said requisition.
32. The computer-readable media of claim 27, wherein said instructions for receiving said bid from each supplier over said computer network comprise instructions for receiving a bid including a proposed price for at least partial satisfaction of said requisition.
33. The computer-readable media of claim 27, wherein said instructions for receiving said bid from each supplier over said computer network comprise instructions for receiving a bid including a proposed price having a volume discount dependent on an extent to which said requisition is to be at least partially satisfied.
34. The computer-readable media of claim 27, wherein said instructions for receiving said bid from each supplier over said computer network comprise instructions for receiving a bid

including a fixed charge independent of an extent to which said requisition is to be at least partially satisfied.

35. The computer-readable media of claim 28, wherein said instructions for receiving said bid from each supplier over said computer network comprise instructions for receiving a bundled bid offering to at least partially satisfy, for a bundled price, a requisition for a selection of items from said list of items.

36. The computer-readable media of claim 27, wherein said software further comprises instructions for facilitating an exchange of messages between a buyer and a supplier over said computer network.

37. The computer-readable media of claim 36, wherein said software further comprises instructions for facilitating the multi-casting of a message sent by said buyer to all suppliers over said computer network.

38. The computer-readable media of claim 27, wherein said instructions for determining an optimal award schedule comprise instructions for considering a performance attribute for a supplier.

39. The computer-readable media of claim 38, wherein said instructions for considering a performance attribute comprise instructions for selecting an attribute from the group consisting of: the supplier's reputation for prompt delivery, the supplier's reputation for quality, geographical location of the supplier, the supplier's reputation for support and maintenance, and a user-defined attribute.

40. The computer-readable media of claim 38, wherein said instructions for considering a performance attribute comprise instructions for considering a weight supplied by said buyer, said

weight being indicative of an extent to which said performance attribute is to be considered in determining said optimal award schedule.

41. The computer-readable media of claim 40, wherein said instructions for considering a performance attribute comprise instructions for determining a price penalty on the basis of said weight and incorporating said price penalty in a bid received from said supplier.

42. The computer-readable media of claim 27, wherein said instructions for determining an optimal award schedule comprise instructions for applying a private buyer constraint.

43. The computer-readable media of claim 42, wherein said instructions for applying private buyer constraint comprise instructions for applying a business rule.

44. The computer-readable media of claim 43, wherein said instructions for applying a business rule comprise instructions for selecting a business rule from the group consisting of: a business rule placing a limit on the number of selected suppliers, a business rule specifying properties of said selected suppliers, a business rule placing a limit on the number of items provided by a selected suppliers, a business rule placing a limit on the number of items provided by a cluster of selected suppliers, and a business rule placing a limit on an extent to which a selected supplier at least partially satisfies said requisition.

45. The computer-readable media of claim 44, wherein said instructions for placing a limit comprise instructions for selecting a limit from the group consisting of an upper bound and a lower bound.

46. The computer-readable media of claim 44, further comprising instructions for measuring the extent to which a selected supplier satisfies said requisition by measured by a monetary value of said extent.

47. The computer-readable media of claim 42, wherein said instructions for applying the private buyer constraint comprise instructions for rejecting any bundled bid.
48. The computer-readable media of claim 42, wherein said instructions for applying the private buyer constraint comprise instructions for enabling manual selection of a supplier for inclusion in said list of selected suppliers.
49. The computer-readable media of claim 48, wherein said instructions for applying the private buyer constraint further comprise instructions for enabling manual specification of an extent to which said manually selected supplier is to at least partially satisfy said requisition.
50. The computer-readable media of claim 27, wherein said software further comprises instructions for generating by a computer a code indicative of at least one reason for rejecting a losing bid.
51. The computer-readable media of claim 50, wherein said instructions for generating said code comprise instructions for incorporating into said code information indicative of whether said losing bid was rejected on the basis of a reason selected from a group consisting of an excessive price and an inadequate performance attribute.
52. The computer-readable media of claim 27, wherein said software further comprises instructions for selecting said requisition from the group consisting of: a purchase of an item, a purchase of a group of items, a performance of a service, and a performance of a group of services.
53. Cancelled.

EVIDENCE APPENDIX

There has been no evidence submitted under 37 C.F.R. §§ 1.130–32 in this case.

RELATED PROCEEDINGS APPENDIX

There have been no proceedings related to this case.

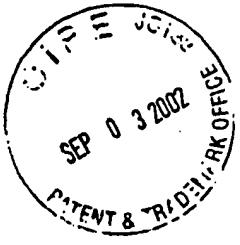


FIG. 6

ePass - Microsoft Internet Explorer

File Edit View Favorites Tools Help

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Address: http://qat3/en/index.html

Please fill in the following for (*) indicating required fields:

Registration Form

electronic procurement application for strategic sourcing

ePass

Buyer Home Supplier Home

Organization Information:

Organization Type (*):	Seller ▶
Organization Name (*):	ABC Co.
Code (*):	ABCCO
Description (*):	ABC Electronics
URL (*):	http://www.dell.com

Default Organization User:

Login Name (*):	ABCSeller
Name (*):	AI Tradings
Email Address (*):	ai@bigbuy.com
Fax Number	
Phone Number (*):	123-123-1234
Select Password (*):
Re-enter password (*):

Proceed Reset Done Local Intranet



FIG. 8

ePass - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Refresh

Address http://qa03/en/index.html

Home > Auction Center > Auction: Electrical > Auction Configuration: Step 4:

Bid Attributes

Step 1: Setup Auction

Step 2: Format Parameters

Step 3: Item Attributes

Step 4: Bid Attributes

Step 5: Bidders Notes

Auction: Electrical

Please configure the information fields you would like Partners to provide as part of their bids. To add a new attribute, define the name in the text box and click Add Attribute. To delete an attribute from the list, check-select the item and click Delete Attribute.

Warranty Days

New Attribute Name:

Buyer Home
Message Center
Manage Products
Configure Partners
Manage Auctions
View Bids
Analyze Bids
Logout

Help Local Intranet

Done



FIG. 9

ePass - Microsoft Internet Explorer

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Back Forward Stop Refresh Home Search Favorites History Mail Print [W] Edit Discuss Go Link >

Address: http://jaocServer/index.htm

Home > Partner Center > Category Rating > Category Rating Edit

Partner: ABC Traders
Category: Electronics

Edit Partner Category Rating

The following are the Participant performance factor ratings for category Electronics
To modify, make changes in the form and click Save.
Valid values are from 1 to 100 (Worst to Best).

Name	Code	Description	Default Value	Partner Rating
Quality	Q1	Quality Rating	50	96

Save Cancel

Buyer Home Message Center Manage Products Configure Partners Manage Auctions View Bids Analyze Bids Logout Help Done

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Address [] http://qa301enf/index.html

Home > Auction Center

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[View Created Auctions](#) [View Pending Auctions](#) [View Open Auctions](#) [View Closed Auctions](#) [View Awarded Auctions](#) [Import/Export](#)

The following is the list of Created Auctions you have offered or currently offering. Click on the Auction id or description to bring up the Auction status report. Click on the action links for other Auction features.

1-4 of 4

	Name	Type	Open	Close	Actions
<input type="checkbox"/>	Supplies	Dutch	Open	Close	Actions
<input type="checkbox"/>	Electrical	Sealed	Open Auction	Open Auction	Open Auction
<input type="checkbox"/>	test1	Sealed	Open Auction	Open Auction	Open Auction
<input type="checkbox"/>	AXSAuction1	Dutch	Create New Auction	Cancel Selected Auctions	

Buyer Home Message Center Manage Products Configure Partners Manage Auctions View Bids Analyze Bids Logout

Help

http://qa301enf/auction_start.jsp?forward=/enf_auction_man.jsp?action=1st&cur_id=10076&epass_session=abuyer_95

Local Intranet

FIG. 10



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Address http://qad3/en/index.html

Home > Auction Center > Supplies

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ePass

Auction Dates

Open Auction for bidding

Populate the dates below to specify the opening and closing time of the auction. When done, click Open Later to update the database. Click Cancel to cancel any changes. The Now buttons will put today's date into the corresponding date selection lists. Click Open Right Now to open the auction immediately.

The following rules apply:

1. An auction can NOT be started if:
 - a. You do not have management privileges.
 - b. There are no requisitions or items defined for the auction.
 - c. If the auction is a sealed type and there are no Participants approved for the auction.
2. Opening date can not be modified if the auction has already started.
3. Closing date does not have to be specified.
4. The closing date cannot be before the opening date.

Month Day Year Hour Minute

Open Date	May	11	2000	12	00	Now	Clear
Close Date	Jun	11	2000	12	00	Now	Clear

Open Later Cancel Open Right Now

View Bids Analyze Bids Logout

Manage Auctions

Help Done

Open Intranet

FIG. 11



ePass - Microsoft Internet Explorer

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Address: http://qa03/enf/index.html

Home > Bid Center

[View Open Auctions](#) [View Closed Auctions](#) [View Awarded Auctions](#) [View All Auctions](#)

The following Auctions are available. Click on a Auctions name to view the associated requisitions. [View All Auctions.](#)

1-7 of 7

Name	Status	Type	Open	Close
rfosshx1	Open	Dutch	05/09/2000 10:29	06/09/2000 10:30
Supplies	Closed	Dutch	05/11/2000 12:01	05/11/2000 15:41
Electrical	Open	Sealed	05/11/2000 14:25	07/11/2000 14:30
RFosshx	Open	Sealed	05/10/2000 16:18	06/10/2000 16:30
Construction	Open	Sealed	05/11/2000 14:31	07/11/2000 14:30
Supplies2	Open	Dutch	05/11/2000 15:48	07/11/2000 16:00
Supplies3	Open	Dutch	05/11/2000 16:14	

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FIG. 12



FIG. 13

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Address http://qat33/en/index.html

Home > Bid Center > Auction Supplies2 > Requisition Items: Req 1

Auction Info

Auction Name	Supplies2
Auction Status	Open
Auction Type	Dutch
Show All Bidders	No
Start Date	05/11/2000 15:48
End Date	07/11/2000 16:00

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ePass

View Requisition Items

The following line items are in the requisition.

1-3 of 3

Level	Item	Type	Category	Description	Desired City	Price	Action
Pencils	Single Item	sshcat1	#2 Pencils			1,000	Bid Messages
Lined Paper	Single Item	sshcat1	8/11 Lined Paper White			100	Bid Messages
Fax Paper	Single Item	sshcat1	Fax Paper 8/11			1,000	Bid Messages

Supplier Home

Message Center

View Bids

Logout

Help

Done

Local Intranet



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Address: http://qad3/fendIndex.htm

The following are the current bids for this item.
0 of 0

Bidder	Bid Type	Max Bid Quantity	Price per Unit
--------	----------	------------------	----------------

Supplier Home Message Center View Bids Logouts

Help

Enter Bid for the item

Enter the price per Unit and any other fields before clicking the Submit button:

Partner Product Code	PENZ10
Comment	In Stock
Maximum	1000
Price Per Unit	05

Save Cancel

Local Intranet

Product Category: sshcat1
Name: Pencils
Code: PEN101
Description: # 2 Pencils
Minimum Desired Quantity: 0
Maximum Desired Quantity: 1,000
Price Quote Unit: Lot Size
Required Delivery Date:

FIG. 14



FIG.
15A

ePass - Microsoft Internet Explorer																			
File	Edit																		
Back	Forward																		
View	Favorites																		
Tools	Help																		
<input type="button"/> Stop	<input type="button"/> Refresh																		
<input type="button"/> Home	<input type="button"/> Search																		
<input type="button"/> Favorites	<input type="button"/> History																		
<input type="button"/> Mail	<input type="button"/> Print																		
<input type="button"/> Discuss	<input type="button"/> Dell Home																		
<input type="button"/> Go	<input type="button"/> Link																		
Address <input type="text"/> http://Ja03len/index.html																			
Home > Bid Center > Auction Supplies2 > Requisition: Req 1 > Item: Pencils																			
Auction Info <table border="1"> <tr> <td>Auction Name</td> <td>Supplies2</td> </tr> <tr> <td>Auction Status</td> <td>Open</td> </tr> <tr> <td>Auction Type</td> <td>Dutch</td> </tr> <tr> <td>Show All Bidders</td> <td>No</td> </tr> <tr> <td>Start Date</td> <td>05/11/2000 15:48</td> </tr> <tr> <td>End Date</td> <td>07/11/2000 16:00</td> </tr> </table>		Auction Name	Supplies2	Auction Status	Open	Auction Type	Dutch	Show All Bidders	No	Start Date	05/11/2000 15:48	End Date	07/11/2000 16:00						
Auction Name	Supplies2																		
Auction Status	Open																		
Auction Type	Dutch																		
Show All Bidders	No																		
Start Date	05/11/2000 15:48																		
End Date	07/11/2000 16:00																		
Item Details <table border="1"> <tr> <td>Product Category</td> <td>sshcat1</td> </tr> <tr> <td>Name</td> <td>Pencils</td> </tr> <tr> <td>Code</td> <td>PEN101</td> </tr> <tr> <td>Description</td> <td># 2 Pencils</td> </tr> <tr> <td>Minimum Desired Quantity</td> <td>1,000</td> </tr> <tr> <td>Maximum Desired Quantity</td> <td></td> </tr> <tr> <td>Price Quote Unit</td> <td></td> </tr> <tr> <td>Lot Size</td> <td></td> </tr> <tr> <td>Required Delivery Date</td> <td></td> </tr> </table>		Product Category	sshcat1	Name	Pencils	Code	PEN101	Description	# 2 Pencils	Minimum Desired Quantity	1,000	Maximum Desired Quantity		Price Quote Unit		Lot Size		Required Delivery Date	
Product Category	sshcat1																		
Name	Pencils																		
Code	PEN101																		
Description	# 2 Pencils																		
Minimum Desired Quantity	1,000																		
Maximum Desired Quantity																			
Price Quote Unit																			
Lot Size																			
Required Delivery Date																			
Lowest Bid <table border="1"> <tr> <td>Bidder</td> <td>7</td> </tr> <tr> <td>Max Bid Quantity</td> <td>1,000</td> </tr> <tr> <td>Price Per Unit</td> <td>\$0.05</td> </tr> <tr> <td>Highest Bid Allowed</td> <td>\$0.04</td> </tr> </table>		Bidder	7	Max Bid Quantity	1,000	Price Per Unit	\$0.05	Highest Bid Allowed	\$0.04										
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Max Bid Quantity	1,000																		
Price Per Unit	\$0.05																		
Highest Bid Allowed	\$0.04																		
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The following are the current bids for this item.																			
<input type="button"/> Help																			
<input type="button"/> Done																			



FIG.
15B

ePass - Microsoft Internet Explorer																																					
File	Edit																																				
Back	Forward																																				
Address	[http://qa03/eindex.html]																																				
File	View																																				
Favorites	Tools																																				
Help																																					
<input type="button" value="Refresh"/>	<input type="button" value="Stop"/>																																				
<input type="button" value="Search"/>	<input type="button" value="Favorites"/>																																				
<input type="button" value="Home"/>	<input type="button" value="History"/>																																				
<input type="button" value="Print"/>	<input type="button" value="Mail"/>																																				
<input type="button" value="Edit"/>	<input type="button" value="W Edit"/>																																				
<input type="button" value="Discuss"/>	<input type="button" value="Dell Home"/>																																				
<input type="button" value="Link"/>	<input type="button" value="Go"/>																																				
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Lot Size																																					
Required Delivery Date																																					
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<input type="button" value="Help"/>																																					
<table border="1"> <tr> <td colspan="2">Done</td> </tr> <tr> <td><input type="button" value="Local Intranet"/></td> <td><input type="button" value=""/></td> </tr> <tr> <td><input type="button" value=""/></td> <td><input type="button" value=""/></td> </tr> <tr> <td><input type="button" value=""/></td> <td><input type="button" value=""/></td> </tr> </table>		Done		<input type="button" value="Local Intranet"/>	<input type="button" value=""/>																																
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<input type="button" value="Local Intranet"/>	<input type="button" value=""/>																																				
<input type="button" value=""/>	<input type="button" value=""/>																																				
<input type="button" value=""/>	<input type="button" value=""/>																																				

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ePass Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Refresh Home Search Favorites History Mail Print Edit Discuss Del Home Go [Link] >

Address http://qeo3en/index.html

Home > Bid Center > Auction: Electrical > Requisition:real > Item: 30 AMP Breakers

Auction Info

Auction Name	Electrical
Auction Status	Open
Auction Type	Sealed
Show All Bidders	No
Start Date	05/11/2000 14:25
End Date	07/11/2000 14:30

Item Details

Product Category	sshcat1
Name	30 AMP Breakers
Code	BK30A101
Description	30 AMP Circuit Breaker
Minimum Desired Quantity	40
Maximum Desired Quantity	
Price Quote Unit	
Lot Size	
Required Delivery Date	

Buyer Home

Message Center

Manage Products

Configure Partners

Manage Auctions

View Bids

Analyze Bids

Logout

View Bids

The following are the current bids for this item.
1-5 of 5

Bidder	Organization	Bid Type	Bundle Code*	Min Bid Quantity	Max Bid Quantity	Price Per Unit	One Time Charge
Harry Sales	ABC Co	Single Item Bid		40	100	\$5.00	\$0.00
Ed Carlson	PostDeal	Single Item Bid		20	20	\$4.00	\$0.00

Help Done

FIG. 16A

electronic procurement application for strategic sourcing

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Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Refresh Home Search Favorites History Mail Print Edit Discuss Dell Home

Address: http://qa3djen/index.htm

http://qa3djen/index.htm

Item Details

Product Category	sshcat1	Reserved Price	
Name	30 AMP Breakers	Historical Price	
Code	BK30A101	Minimum Bid Quantity	0
Description	30 AMP Circuit Breaker	Maximum Bid Quantity	
Minimum Desired Quantity	40	Tolerances	
Maximum Desired Quantity			
Price Quote Unit			
Lot Size			
Required Delivery Date			

Buyer Home

Message Center

Manage Products

Configure Partners

Manage Auctions

View Bids

Analyze Bids

Logout

ePass

electronic procurement application for strategic sourcing

The following are the current bids for this item.
1-5 of 5

Bidder	Organization	Bid Type	Bundle Code*	Min Bid Quantity	Max Bid Quantity	Price Per Unit	One Time Charge
Hairy Sales	ABC Co	Single Item Bid		40	100	\$5.00	\$0.00
Ed Calton	BestDeal	Single Item Bid		20	20	\$4.00	\$1.00
Boe Cheaper	Surfin' Seller	Single Item Bid		1	10	\$5.50	\$0.00
Boe Cheaper	Surfin' Seller	Single Item Bid		11	30	\$5.00	\$0.00
Boe Cheaper	Surfin' Seller	Single Item Bid		31	50	\$3.50	\$0.00

Help

Local Intranet

FIG. 16B



ePass - Microsoft Internet Explorer

File Edit View Favorites Tools Help

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Address http://qad3/en/index.html

Required Delivery Date

View Bids

The following are the current bids for this item.
0 of 0

Bidder Bid Type Min Bid Quantity Max Bid Quantity Price Per Unit One Time Charge

Enter Bid for the Item

Enter the Price per Unit and any other fields before clicking the Submit button:

Partner Product Code	ABKR01	Price Per Unit	One Time Charge
Comment		Minimum	
Warranty Days	60	Maximum	
Volume Bid Set 1	1	10	5.50
Volume Bid Set 2	11	30	5.00
Volume Bid Set 3	31	50	3.50

Supplier Home Message Center View Bids Logout Help

Local Intranet

ePass

electronic procurement application for strategic sourcing

FIG. 17



FIG. 19

ePass - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Refresh Home Search Favorites History Print Mail Discuss Dell Home

Address: <http://aucten/index.htm>

Home > Bid Center > Auction: Construction > Requisition Items: REQ1

Auction Info

Auction Name	Construction
Auction Status	Open
Auction Type	Sealed
Show All Bidders	No
Start Date	05/11/2000 14:31
End Date	07/11/2000 14:30

View Requisition Items

The following line items are in the requisition.

Level	Selection	Item	Type	Category	Description	Desired Qty	Price	Action
	<input checked="" type="checkbox"/>	2x4x8	Single Item	sshcat1	Lumber 2 x 4 x 8 ft	400		Bid
	<input checked="" type="checkbox"/>	2x12x10	Single Item	sshcat1	Lumber 2 x 12 x 10 ft	1,000		Bid
	<input checked="" type="checkbox"/>	PW 4x8x1/2	Single Item	sshcat1	Plywood 4 x 8 x 1/2 in	100		Bid

Select All | Unselect All | Switch All

Create Bundled Bid

Supplier Home

Message Center

View Bids

Logout

Help

Local Intranet

ePass



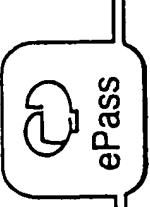
ePass - Microsoft Internet Explorer				
File	Edit			
View	Favorites			
Tools	Help			
<input type="button"/> Back	<input type="button"/> Forward			
<input type="button"/> Stop	<input type="button"/> Refresh			
<input type="text"/> Address	<input type="button"/> http://qa03/enf/index.html			
Supplier Home Message Center View Bids Logout				
 <p>electronic procurement application for strategic sourcing</p>				
Bundled Bid				
<u>Home</u> > <u>Bid Center</u> > <u>RFQ: Construction</u> > <u>Requisition:REQ1</u> > Create				
Auction Info				
<input type="text"/> Auction Name	Construction			
<input type="text"/> Auction Status	Open			
<input type="text"/> Auction Type	Sealed			
<input type="text"/> Show All Bidders	No			
<input type="text"/> Start Date	05/11/2000 14:31			
<input type="text"/> End Date	07/11/2000 14:30			
Create Bundled Bid Enter the product Quantity per Bundle, Price per Bundle, and any other fields before clicking the Submit button:				
Bundle Description:				
<input type="text"/> Seller Bundle Code	<input type="text"/> Bundle of Materials			
<input type="text"/> Comment	<input type="button"/>  <input type="button"/> 			
Bundle Composition:				
<input type="text"/> Buyer	<input type="text"/> Seller			
<input type="text"/> Line Item	<input type="text"/> Name	<input type="text"/> Desired Quantity	<input type="text"/> Quantity per Bundle	<input type="text"/> Product Code
020408	2 x 4 x 8	400	400	021190
021210	2 x 12 x 20	1,000	1000	090121
0406005	PW 4 x 8 x 1/2	100	100	902019
<input type="button"/> Help				
<input type="checkbox"/> Local Intranet				

FIG. 20A



ePass - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Refresh Home Search Favorites History Mail Print Edit Discuss Dell Home Go Link >

Address http://qadoc/index.html

http://qadoc/index.html

Apportion Type Sealed

Show All Bidders No

Start Date 05/11/2000 14:31

End Date 07/11/2000 14:30

Create Bundled Bid

Enter the product Quantity per Bundle, Price per Bundle, and any other fields before clicking the Submit button:

Bundle Description:

Seller Bundle Code

Comment

Bundle Composition:

Supplier Home	Buyer	Seller	Product Code
Message Center	Name	Desired Quantity	
View Bids	2 x 4 x 8	400	021190
Logout	2 x 12 x 10	1,000	090121
Help	PW 4 x 8 x 1/2	100	902019

Bundle Pricing:

Number of Bundles	Cost	One-Time Charge
Minimum	Maximum	Price per Bundle
1	10	7350

Local Intranet

Save Cancel

FIG. 20B



ePass - Microsoft Internet Explorer

File Edit View Favorites Tools Help

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Address: Done Local Intranet

Home > Analyze Bids Center

Auction: Electrical

Change Auction

Scenarios Schedules

The following are the scenarios created for Auction Electrical

Id	Name	Coverage	Purchasing Cost (000's)	System Cost (000's)	Perf. Ratio	Actions
No scenarios defined						

Buyer Home **Message Center** **Manage Products** **Configure Partners** **Manage Auctions** **View Bids** **Analyze Bids** **Logout** **Help**

electronic procurement application for strategic sourcing

ePass

FIG. 21



ePass - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Refresh Home Search Favorites History Mail Print Edit Discuss Dell Home Go Link

Address: http://auction/index.html

Home > Analyze Bids Center > New Scenario

Auction: Electrical Scenario:

New Scenario

Please fill in the following information for the scenario.

Name	Description
Recommend Secondary Vendors	Lowest Total Cost
Number of Secondary Vendors	2
Rules	<input checked="" type="checkbox"/> Manual Awards <input checked="" type="checkbox"/> Business Rules <input checked="" type="checkbox"/> Bundles
Buyer Home	Performance Factor Weightings
Message Center	Price
Manage Products	150.00%
Configure Partners	Add Factor
Manage Auctions	Select a Factor
View Bids	Save
Analyze Bids	Cancel
Logout	Done

electronic procurement application for strategic sourcing

ePass

FIG. 22



ePass - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Refresh Home Search Favorites History Mail Print W Edit Discuss Dell Home

Address: http://gao/ePass/index.html

1 of 1

Home > Analyze Bids > Business Rules

Auction: Electrical
Scenario: Price Only

Setup Manual Awards Business Rules

The following is a list of business rules defined for scenario Price Only on Auction Electrical

Type Name Scope Partner Min Max Actions

Capacity BR Quantity Limit RFQ Each Partner 50% Wizard

Create Rule Delete Rules

Buyer Home Message Center Manage Products Configure Partners Manage Auctions View Bids Analyze Bids Logout Help Done

Local Intranet

electronic procurement application for strategic sourcing

ePass

FIG. 23



ePass - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Refresh Home Search Favorites History Mail Print W Edit Discuss Dell Home Go Link

Address: http://ga03/en/index.html

Business Rule Wizard (Step 1 of 4)

Please name the rule

Please give a short description

Please give a long description

Please ignore the rule for now?

Limit Vendors to no more than 50% of Bid

BR Quantity Limit

BRQTY

BR Pass

Next > Cancel

Done

Help

electronic procurement application for strategic sourcing

ePass

Buyer Home Message Center Manage Products Configure Partners Manage Auctions View Bids Analyze Bids Logout

Please specify the type of rule

Capacity Vendor Count Cost Performance Cost

Award business to a preferred Partner or place a limit on the amount of business a Partner is awarded.

Limit the number of Partners that receive awards

Limit the purchasing cost (excluding performance based costs)

Limit the total purchasing cost (including performance based costs)

FIG. 24



ePass - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Refresh Home Search Favorites History Mail Print Edit W Discuss Dell Home Go [Link] >

Address: http://qa03ven/index.html

Business Rule Wizard (Step 2 of 4)

Name: BR Quantity Limit
Short Description: BRTQY
Long Description: Limit Vendors to no more than 50% of Bid
Ignore For Now? No
Type: Capacity

Please specify the scope of the rule

Auction
 Requisition (Each Requisition) ▶
 Category (Each Category) ▶
 Item (Each Item) ▶

Buyer Home Message Center Manage Products Configure Partners Manage Auctions View Bids Analyze Bids Logout Help Done Local Intranet

electronic procurement application for strategic sourcing

ePass

FIG. 25



FIG. 26

Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Refresh Home Search Favorites History Mail Print Edit W Discuss Dell Home Go Link

Address: http://quadient/index.html

Business Rule Wizard (Step 3 of 4)

Name: BR Quantity Limit

Short Description: BROTY

Long Description: Limit Vendors to no more than 50% of Bid

Ignore For Now? No

Type: Capacity

Scope: RFC

Please specify the Partner affected by the rule

(Each Partner) ▼ Apply the rule to the selected Partner.

<< Back Next >> Cancel

Buyer Home Message Center Manage Products Configure Partners Manage Auctions View Bids Analyze Bids Logout Help Done Local Intranet

electronic procurement application for strategic sourcing

ePass



ePass - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Refresh Home Search Favorites History Mail Print W Edit Discuss Dell Home Go Link >

Address http://qa03erv/index.htm

Business Rule Wizard (Step 4 of 4)

Name	BR Quantity Limit
Short Description	BRQTY
Long Description	Limit Vendors to no more than 50% of Bid
Ignore For Now?	No
Type	Capacity
Scope	RFQ
Partner	Each Partner

Please specify the minimum and/or maximum value that should be awarded

Select the units the minimum/maximum value are specified in	<input type="radio"/> Units <input type="radio"/> Dollars <input checked="" type="radio"/> Percentage
Minimum Amount to Award	<input type="text"/> Specify this value if you require the Partner to be awarded a certain amount. You can leave this field blank if there is no required minimum. For percentage, specify 0.5 for 50%
Maximum Amount to Award	<input type="text"/> Specify this value if you want to limit the maximum amount awarded to the organization. You can leave this field blank if there is no maximum. For percentage, specify 0.5 for 50%

<< Back Finish Cancel Local Intranet Help Done

ePass
electronic procurement application for strategic sourcing

Buyer Home Message Center Manage Products Configure Partners Manage Auctions View Bids Analyze Bids Logout

FIG. 27



ePass - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Refresh Home Search Favorites History Mail Print W Edit Discuss Dell Home Link Go Link >

Address: http://agaclient/index.htm

Home > Analyze Bids Center > Setup > Edit Scenario

Auction: Electrical
Scenario: Scene Quality

Edit Scenario

Please fill in the following information for the scenario.

Name	Scene Quality
Description	Price/Quality Analysis
Rules	Lowest Total Cost
Number of Secondary Vendors	2
Business Rules	<input checked="" type="checkbox"/> Manual Awards <input checked="" type="checkbox"/> Business Rules <input type="checkbox"/> Bundles
Performance Factor Weightings	
Price	100.00%
Quality	50.00%

Save Cancel

Local Intranet

Done

Help

Buyer Home Message Center Manage Products Configure Partners Manage Auctions View Bids Analyze Bids Logout

electronic procurement application for strategic sourcing

ePass

FIG. 28